

AMENDMENT NO. \_\_\_\_\_

\_\_\_\_\_  
**Signature of Sponsor**

**AMEND SB 2657**

**HB 2926**

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

by adding the following as a preamble:

WHEREAS, the treatment of the TennCare population has spurred the incorporation of Managed Care Organizations (MCOs); and

WHEREAS, wise use of available financial resources depends on making multiple choices available for patient therapies; and

WHEREAS, pharmaceuticals are crucial as preventive and cost-effective components of healthcare and offer potential savings in cures or treatments for many diseases and conditions; and

WHEREAS, it is desirable to ensure access to prescription medicines by patients whose care is provided by physicians through MCOs; now, therefore,

AND FURTHER AMEND by deleting all of the language following the enacting clause and by substituting instead the following:

Section 1. TennCare Managed Care Organizations (MCOs) should observe the following principles with respect to fostering the integration of pharmaceutical care:

(1) Programs should be carefully implemented and compensation arranged so that patient care is not disrupted;

(2) Patients should have access to medically necessary treatments, and physicians' judgments concerning what constitutes medically needed treatment should be respected;

(3) MCOs should make new drugs and biologics initially reimbursable until the MCO has had sufficient experience to make a decision regarding access restrictions;

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(4) Patients should be informed about the scope of the pharmaceutical benefit and of any restrictions on that benefit;

(5) Health plans should make decisions about patient care by a process that ensures the scientific and clinical integrity of those decisions;

(6) Patients should have the opportunity to voice grievances and have access to an established process for appealing denials of care; and

(7) A competitive market should be preserved so that investment in research and scientific innovation continues.

Section 2. Tennessee Code Annotated, Title 71, Chapter 1, Part 1, is amended by adding the following as a new section to be appropriately designated:

Section \_\_\_\_\_. As a part of annual evaluations, the bureau of TennCare shall evaluate TennCare-participating MCOs with respect to their activities concerning subdivisions (1) through (6) of Section 1. The bureau shall report its findings to the TennCare pharmacy board and to the select oversight committee on TennCare. The first such report shall be provided not later than December 15, 1996, and annually on such date thereafter.

Section 3. This act shall take effect upon becoming law, the public welfare requiring it.